

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MAXWOOD MUSIC LIMITED,

Plaintiff,

08 Civ. 1730

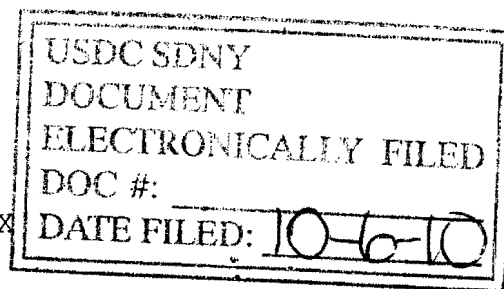
-against-

OPINION

DARON MALAKIAN, individually and
doing business as MALAKIAN
PUBLISHING, and SERJ TANKIAN,
individually and doing business as
SHATTERED MIRRORS PUBLISHING,

Defendants.

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Sweet, D.J.

Defendants Daron Malakian, d/b/a Malakian Publishing, and Serj Tankian, d/b/a Shattered Mirrors Publishing (together, the "Defendants"), have appealed the determination of the Orders and Judgments Clerk of the Court with respect to the costs to be awarded in this action. Defendants were not present at the hearing before the Clerk regarding the objections of Plaintiff Maxwood Music Limited (the "Plaintiff").

After consideration of the contentions of the parties, whose submissions were marked fully submitted on August 25, 2010, the following costs will be taxed against Plaintiff:


1. The entire trial transcript at the non-expedited rate.
2. The cost of the transcripts of the depositions of Messrs. Benveniste, Tankian, Malakian, Smarr, and Dolmayan.
3. The cost of the videos of the depositions of Messrs. Chmielinski and Wills.
4. The hotel expenses of the witness Mr. Dolmayan for three days at the rate established by the U.S. General Services Administration, including subsistence, and of the witness Mr. Smarr for one day at the same rate, including subsistence.
5. The actual airfare expense of the witness Mr. Dolmayan on JetBlue.

6. Process server fees.

The Orders and Judgments Clerk of the Court is directed to revise the taxation accordingly.

It is so ordered.

New York, NY
October 5, 2010



ROBERT W. SWEET
U.S.D.J.